

MAR. 31. 2004 12:14PM  
TO:USPTO (GENERAL)

NO. 709 P. 1

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## BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW  
2030 Addison Street, Seventh Floor, Berkeley, CA 94704  
Telephone: (510) 843-6200 Facsimile: (510) 843-6203  
www.beyerlaw.com

### FACSIMILE COVER SHEET

March 31, 2004

Receiver: Examiner Nguyen (PTO Central Fax)

FAX #: 703-872-9306

Sender: Jeffrey K. Weaver for: Haruo Yawata  
Our Ref. No.: CISCPI00

Application No: 09/276,917

Re: Request for Status

Pages Including Cover Sheet(s): 18

MESSAGE:

See Decision  
(Paper No. 15)  
B.J. 6/24/04

#### CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copying of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

PATENT

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: Chandran, et al.

Attorney Docket No.: CISC100/1156

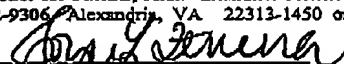
Application No.: 09/276,917

Examiner: NGUYEN, DUSTIN

Filed: March 26, 1999

Group: 2155

Title: NETWORK TRAFFIC SHAPING USING  
TIME-BASED QUEUES

**CERTIFICATE OF FACSIMILE TRANSMISSION:**  
I hereby certify that this correspondence is being transmitted  
by facsimile to the United States Patent and Trademark  
Office, Commissioner for Patents, Attn: Examiner Pritchett,  
Fax No. 703-872-9306, Alexandria, VA 22313-1450 on:  
March 18, 2004  
Signed:   
Joyce L. Ferreira

**STATUS OF:****REQUEST TO HAVE CORRESPONDENCE DEEMED TO HAVE BEEN  
TIMELY FILED - 37 CFR 1.8(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

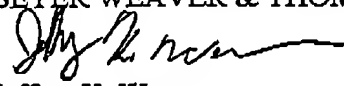
Sir:

A Request to Have Correspondence Deemed to Have Been Timely Filed - 37 CFR §1.8(b) was filed via mail on October 10, 2003 and again via facsimile on November 25, 2003. A recent status check with PAIR indicates that the Request has not been entered. Applicants hereby resubmit copies of the documents filed via facsimile on November 25, 2003, which are copies of what was filed via regular U.S. mail on October 10, 2003. We are including a copy of the fax journal dated November 25, 2003 indicating receipt by the U.S. Patent Office central fax number.

An expedited decision on the Request is hereby requested as the last PTO issued office action was mailed on January 28, 2003. It is hereby requested that the attached documents be entered and the application proceed with prosecution. Should any fees be due to facilitate the filing of the attached documents, they may be charged to Deposit Account No. 50-0388 (Order No: CISC100).

Respectfully submitted,

BEYER WEAVER &amp; THOMAS, LLP

  
Jeffrey K. Weaver  
Reg. No. 31,314

P.O. Box 778  
Berkeley, CA 94704-0778

MAR. 31. 2004 12:14PM

NO. 709 P. 3

P. 1

\* \* \* COMMUNICATION RESULT REPORT ( NOV. 25. 2003 3:32PM ) \* \* \*

TTI

TRANSMITTED/STORED: NOV. 25. 2003 3:28PM

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
07 MEMORY TX		17038729306	OK	18/18

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWER

E-2) BUSY  
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## **BEYER WEAVER & THOMAS, LLP**

INTELLECTUAL PROPERTY LAW  
2030 Addison Street, Seventh Floor, Berkeley, CA 94704  
Telephone: (510) 843-6200 Facsimile: (510) 843-6203  
[www.beyerdaw.com](http://www.beyerdaw.com)

### **FACSIMILE COVER SHEET**

November 25, 2003

### **PLEASE DELIVER TO EXAMINER IMMEDIATELY**

Receiver: Examiner Dustin Nguyen  
USPTO

TEL #: 703-305-5321

FAX #: 703-872-9306

Sender: Leslie Russell, Patent Secretary for:  
Haruo Yawata

## **BEYER WEAVER & THOMAS, LLP**

INTELLECTUAL PROPERTY LAW  
2030 Addison Street, Seventh Floor, Berkeley, CA 94704  
Telephone: (510) 843-6200 Facsimile: (510) 843-6203  
www.beyerlaw.com

### **FACSIMILE COVER SHEET**

November 25, 2003

### **PLEASE DELIVER TO EXAMINER IMMEDIATELY**

**Receiver:** Examiner Dustin Nguyen  
USPTO

**TEL #:** 703-305-5321

**FAX #:** 703-872-9306

**Sender:** Leslie Russell, Patent Secretary for:  
Haruo Yawata

**Re:** U.S Patent Application Entitled: *NETWORK TRAFFIC SHAPING  
USING TIME-BASED QUEUES*  
Inventor(s): Kartik S. Chandran  
Application No.: 09/276,917  
Filed: March 26, 1999  
Our File No.: CISC100

Pages Including Cover Sheet(s): 15

#### **MESSAGE:**

Dear Examiner Nguyen:

Please let us know if you require anything further. Thank you.

Leslie Russell for:  
Haruo Yawata

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#### **CONFIDENTIALITY NOTE**

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**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Chandran, et al.

Attorney Docket No.: CISC100/1156

Application No.: 09/276,917

Examiner: NGUYEN, DUSTIN

Filed: March 26, 1999

Group: 2155

Title: NETWORK TRAFFIC SHAPING USING  
TIME-BASED QUEUES**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 10, 2003.

Signed:



Joyce L. Ferreira

**REQUEST TO HAVE CORRESPONDENCE DEEMED TO HAVE BEEN  
TIMELY FILED - 37 CFR 1.8(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find attached a copy of the Amendment Transmittal and Amendment A, as well as a copy of the "original" postcard mailed by certificate of mailing on April 17, 2003. It was discovered by a routine status check by the Examiner that a response to his office action dated January 28, 2003 had not been responded to. It was then discovered that the attached Amendment Transmittal and Amendment A was not received by the U.S. Patent Office since the original postcard was not returned and stamped by the U.S. Patent Office mailroom. Enclosed is a Statement Attesting to Mailing of PTO Correspondence Under 37 CFR §1.8(b)(3) by the person who signed the original Certificate of Mailing.

It is therefore requested that the attached documents be entered and the application proceed with prosecution. Should any fees be due to facilitate the filing of the attached documents, they may be charged to Deposit Account No. 50-0388 (Order No: CISC100).

Respectfully submitted,

BEYER WEAVER &amp; THOMAS, LLP



Haruo Yawata

Limited Recognition under 37 CFR §10.9(b)

P.O. Box 778

Berkeley, CA 94704-0778

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Chandran, et al.

Attorney Docket No.: CISC100/1156

Application No.: 09/276,917

Examiner: NGUYEN, DUSTIN

Filed: March 26, 1999

Group: 2155

Title: NETWORK TRAFFIC SHAPING USING  
TIME-BASED QUEUES**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 10, 2003.

Signed: 

Joyce L. Ferreira

**STATEMENT ATTESTING TO MAILING OF PTO CORRESPONDENCE  
UNDER 37 CFR §1.8(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Leslie Russell state, based on my personal knowledge, that I mailed on April 17, 2003 the original of the attached copy of the Amendment Transmittal and Amendment A correspondence with Certificate of Mailing by first class mail, with sufficient postage, in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231.

I declare that all statements made herein of my own knowledge are true; that all statements made on the information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

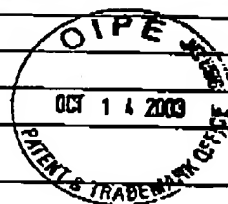
Date: 10/10/03By: 

Leslie Russell

Docket #	CISCP100	By:	HY/JH	Date of this mailing:	October 10, 2003
Appl'n #:	09/276,917	Filing Date:	March 26, 1999		
Inventor(s)	Kartik S. Chandran				
Title:	NETWORK TRAFFIC SHAPING USING TIME-BASED QUEUES				

The following have been received in the U.S. Patent Office on the date stamped hereon:

Item	Description	# Pgs
1.	Request to Have Correspondence Deemed to Have Been Timely Filed w/cert of mailing	01
2.	Statement Attesting to Mailing of FTO Correspondence w/cert of mailing	01
3.	"copy" of Amendment Transmittal w/cert of mailing (dated April 17, 2003)	01
4.	"copy of" Amendment A w/cert of mailing and appendix of pending claims and marked up version Mailing date (April 17, 2003)	08
5.	Grant of Limited Recognition of Haruo Yawata under 37 CFR 10.9(b)	01
6.	Copy of "original" postcard dated April 17, 2003 mailed with Amendment of April 17, 2003	01
7.		
8.		
9.		
10.		



BEYER WEAVER & THOMAS, LLP  
 SEEN/CONFIRMED  
 BY DOCKETING DEPT.  
 DATE: 11/12/03 BY: DE



Docket #	CISCP100/1156	By:	HY/r	Date of this mailing:	April 17, 2003
Appl'n #:	09/276,917	Filing Date:	March 26, 1999		
Inventor(s)	Kartik S. Chandran				
Title:	NETWORK TRAFFIC SHAPING USING TIME-BASED QUEUES				

The following have been received in the U.S. Patent Office on the date stamped hereon:

Item	Description	# Pgs
1.	Amendment Transmittal w/cert of mailing	1
2.	Amendment A w/cert of mailing; and appendix of pending claims and marked up version	8
3.	Grant of Limited Recognition of Haruo Yawata under 37 CFR 10.9(b)	1
4.		
5.		
6.		
7.		
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